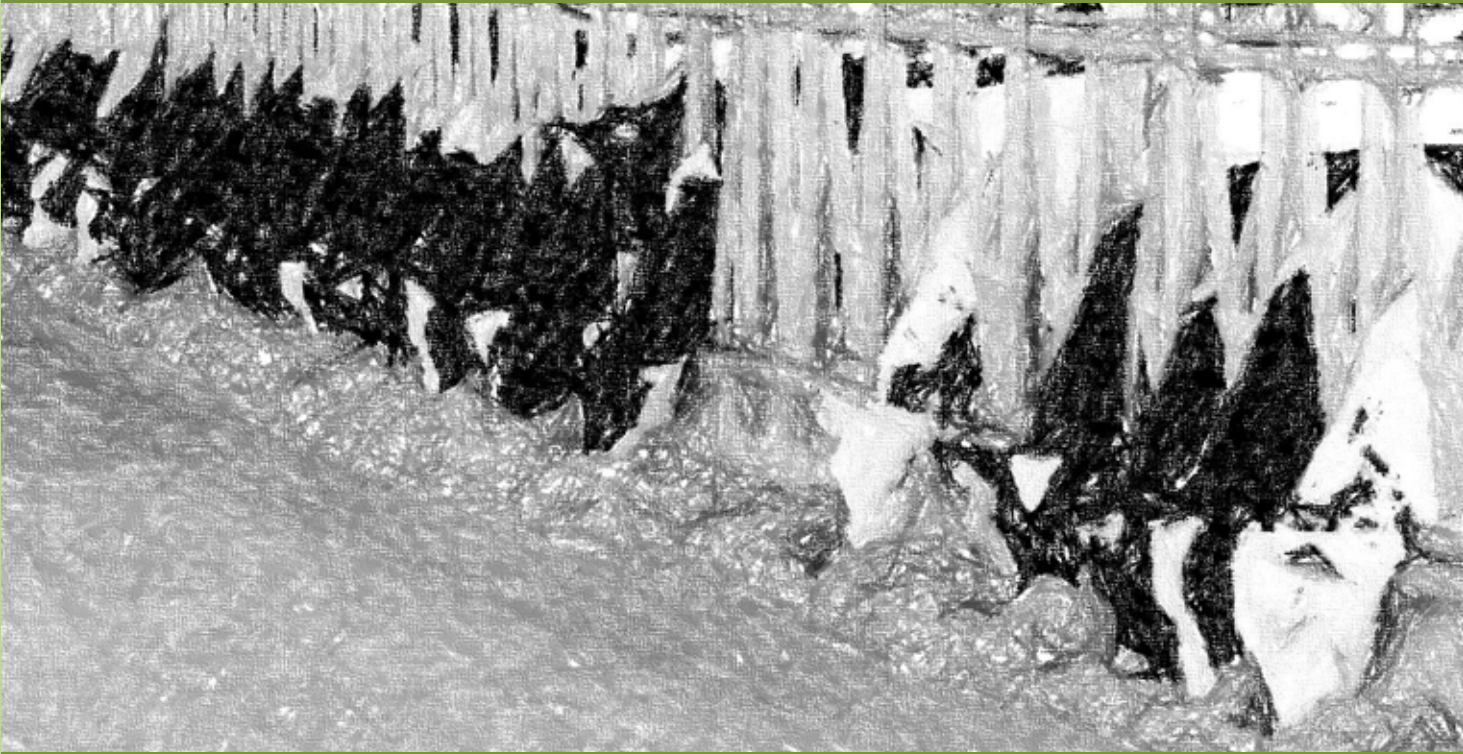


ANNEX 7



Government construction regulations

ANNEX 7: GOVERNMENT CONSTRUCTION REGULATIONS

1. Submit architectural plan for approval and obtain provisional building permit

The Building Company (BC) would approach the County Development Department to get its architectural plans approved first. Before submitting the application, the BC must pay the relevant fees. Once the payment is made, BC submits the receipt to the County Development Department. The application must contain the architectural drawings and plans, land title, copy of main architect's license and structural drawings were applicable. The application then gets forwarded to various departments:

- Physical Planning
- Road Department
- Public Health
- Fire Department
- Water Authority
- Electricity Authority

Each department takes at least one week to clear the respective section of the plans and grants separate permits. Thereafter, the application is forwarded for approval to the Technical Committee that convenes twice a week and issues the approvals. As a result of the approval of architectural drawings you receive the building permit. The building permit is granted only provisionally, until the structural segment is approved.

2. After the building permit is obtained, the BC must submit its structural project separately.

The building permit fee is now based on the size of the building. The Joint Building Council Rates provide the estimated cost per square meter which varies depending on the type of building (e.g. office block, residential, industrial complex, etc.) The fees are as follows:

- Building plan approval fee: 1.1% of the estimated cost of construction
- Construction sign board fee: KES 25,000
- Application fee: KES 5,000
- Inspection of building file: KES 5,000

BC must have the following items approved: project plans, architectural drawings, location survey of property documents and others. 10 days, no charge

3. Obtain a project report from an environmental expert

Agency: Private Expert (accredited/licensed by NEMA). A licensed environmental expert must be hired to prepare a project report to be submitted to NEMA. 5 days KES 50,000-200,000.

4. Obtain approval of the Environmental Impact Assessment or Study

Agency: National Environment Management Authority (NEMA). Following the enactment of new Environmental Management and Co-ordination Act on February 27, 2009, companies now have to obtain approval of projects from the National Environment Management Authority. Projects of all risk categories are subject to approval and an environmental impact assessment (EIA). It takes 30 days on average. The cost is set at 0.05% of warehouse value (0.05% or minimum of 10,000/= whichever is higher).

5. Request and receive final inspection by the Municipal Authority after construction

Once the construction is completed alongside statutory inspections, you can apply for an occupancy certificate. The occupancy certificate is given when the county government deems the building is in compliance with the approved architectural drawings. The application is then forwarded to the Assistant Director Enforcement so that an inspector is assigned for the final inspection of the construction. Normally it should be a visit combined to several other departments, 5 days no charge.

6. Obtain occupancy certificate,

Duration is approximately 14 days at no charge.

7. Submit to NCA (National Construction Authority)

Registration is required before commencement of works. Fee is 0.005% of project cost.



SNV Netherlands Development Organisation - Kenya
Ngong Lane, off Ngong Road
P.O. Box 30776 - 00100
Nairobi, Kenya
T + 254 20 3873656
F + 254 20 3873650
E kenya@snvworld.org
www.snvworld.org